

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the Examiner's rejection of the above-identified application is respectfully requested in view of the foregoing amendments and following remarks. Claims 9, 13, 16, 31 and 32 are in the application.

At the outset, the Applicant wishes to thank Examiner Eva Zheng for the courtesy of a telephone interview conducted with the undersigned attorney on August 22, 2006. The substance of this interview is set forth in the Examiner Interview Summary mailed on August 28, 2006, and in this Amendment.

Independent claims 31 and 32 are new and have been added to more clearly define the invention. Support for new claims 31 and 32 may be found, *inter alia*, in the specification as filed at page 2, line 13 through page 3, line 6; page 5, line 22 through page 6, line 4; page 6, line 13 through page 7, line 4; page 8, lines 8-11 and page 10, lines 5-7. Dependent claims 9, 13 and 16 have been amended to depend from new claim 31. No new matter has been introduced.

As set forth in independent claim 31, the invention provides

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

a method for reducing electrostress acting on human cells when transmitting a high frequency signal between a transmitter and receiver. The method includes the steps of a) forming a linked signal by linking the high frequency signal with a signal for a natural alternating electromagnetic field which approximately conforms to an actual weather field; b) extracting the high frequency signal from the linked signal in the receiver by reading a given spectral time curve stored in the receiver's memory and extracting from an endless repeat spectra of sferics, each recognized in terms of time by means of time spectrum recognition in a respective repeat period, and c) reducing the electrostress on surrounding human cells via the presence of the natural alternating electromagnetic field in addition to the high frequency field.

The invention further provides a method for reducing electrostress acting on human cells when transmitting a high frequency signal between a transmitter and receiver as set forth in independent claim 32. The method as recited in claim 32 includes the steps of a) forming a linked signal by linking the high frequency signal with a signal for a natural alternating magnetic field and b) extracting the high frequency signal from

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

the linked signal in the receiver by reading a given spectral time curve stored in the memory of the receiver and extracting from an endless repeat spectra of sferics, each being recognized in term of time by means of time spectrum recognition in a respective repeat period.

Claims 9, 13, 16, 25 and 27 were rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and use the invention.

In particular, it was the Examiner's position that 1) one skilled in the art cannot understand the purpose of the controlling step after the extracting step; 2) the specification does not describe controlling step c) sufficiently for one skilled in the art to perform the step; 3) one skilled in the art could not determine that the electrostress acting on human cells is reduced if the high frequency signal is extracted; and 4) the specification lacks a detailed explanation of to how the sferics are extracted to enable one skilled in the art to make and use the invention.

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

The rejections are respectfully traversed.

Independent claims 25 and 27 have been cancelled without prejudice and new independent claims 31 and 32 have been added to more clearly define the invention.

In particular, the step of "controlling the natural alternating electromagnetic field by selective control information related to a weather situation" is no longer recited in any of the pending claims. Accordingly, it is believed that the Examiner's rejections on the basis of the controlling step are overcome and Applicant respectfully requests withdrawal of same.

With respect to the Examiner's contention that one skilled in the art could not determine that the electrostress acting on human cells is reduced as the original high frequency signal is retained, it is submitted that the step of "extracting the high frequency signal from the linked signal in the receiver" as recited in independent claims 31 and 32, refers to the high frequency signal being separated or filtered from the linked signal. Extracting in the context of the instant claims does not

mean that the high frequency signal, which may be a data or communication signal, such as a signal for a cellular telephone, is removed or taken out such that the high frequency signal is no longer present. Rather, the step of extracting as recited in the pending claims means that the high frequency signal is separated from or filtered out of the linked signal. Thus, the high frequency signal remains present in the receiver, notwithstanding its extraction from the linked signal.

The step of extracting the high frequency signal from the linked signal is described, *inter alia*, in the specification as filed in the paragraph bridging pages 10 and 11 and shown in FIG. 1. In particular, the specification at pages 10-11 provides as follows:

A demodulator 15 is connected downstream of receiver 11. Demodulator 15 has an inverse function, i.e. it extracts or unlinks or demodulates the mixture comprising the HF-signal, (which is now relieved of the weather field signal) is available on the output of demodulator 15 for processing in a processor 16.

...

Demodulator 15 is preferably of the intelligent type, so that it recognizes sferics spectra in the signals of the fields received with antenna installation 17. Following such recognition, demodulator 15 extracts the known periodically repeated

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

sferics curve so that the HF-signal is available in the recovered form on the output of demodulator 15.

Accordingly, it is believed that the specification includes a detailed description of how the sferics are extracted sufficient to enable one skilled in the art to make and use the invention.

During the August 22, 2006 telephone interview, the Examiner requested an explanation of how the natural alternating electromagnetic field as recited in the claims is created. It is noted that the natural alternating electromagnetic field is not created, *per se*, but rather is modeled on a field occurring in nature. In particular, a probe may be used to detect and measure a natural electromagnetic field. The natural alternating electromagnetic field, preferably one under good or fair weather conditions, is measured and recorded and the envelope of this recorded signal is used as the "signal for a natural alternating electromagnetic field" as recited in the claimed method.

The Examiner further requested an explanation of how the natural alternating electromagnetic field reduces electrostress in human cells. By way of explanation, exclusively stochastic

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

fields or processes exist in nature. An example is the transfer of nerve impulses. When such fields or processes are influenced by external fields or processes within the same frequency window in a periodic or continuous manner, the body reacts by means of physical or psychic stress. Such stress reactions can be compensated for by introducing natural alternating electromagnetic fields according to the claimed methods. The human body is said to have a positive reaction to such fields. So-called "good weather sferics" are suited as aperiodic or stochastic fields to compensate for periodic fields, for example fields created by mobile phones or Dect phones using pulsation frequencies of 100 Hz. as a basis frequency and including overtones of 200, 300, 600, etc., Hz.

Experimental data and further explanation of the positive effects of Sferics or natural alternating magnetic fields may be found in the enclosed dissertation of the inventor, Florian König, entitled "Audio Spectrum Analysis of Natural Alternating Fields in the Atmosphere and Some Unanticipated Results" which was submitted in partial fulfillment of the requirement for the degree of Doctor of Science in Physics Engineering. In particular, The Examiner is directed to the Abstract and pages

Application Serial No. 09/844,114
Amendment to 7/19/06 Final Office Action

58-59, 63-65, 95-100, 157-163, 188, 205, 211-212, and 255-258 of
the enclosed dissertation.

In summary, claims 9, 13, 16, 31 and 32 are in the application. New independent claims 31 and 32 have been added and dependent claims 9, 13, and 16 have been amended to depend from new claim 31. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue. Applicant respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
Florian Meinhard KONIG - 2

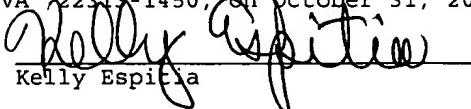


COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
EJC:ea

William C. Collard, Reg.No. 38,411
Edward R. Freedman, Reg.No.26,048
Frederick J. Dorchak, Reg.No.29,298
Attorneys for Applicant

Enclosures : "Audio Spectrum Analysis of Natural Alternating Fields in the Atmosphere and Some Unanticipated Results (Dissertation of Florian König).
 Petition under Rules 136(a) and 17(a)(1) for one (1) month extension of time.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop: RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 31, 2006.



Kelly Espitia